

LET

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

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UNITED STATES OF AMERICA

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

KCC-1152-PCT

Date of mailing  
(day/month/year)

17/04/2003

Applicant's or agent's file reference

15860

PAYMENT DUE

within 45 ~~XXXX~~ days  
from the above date of mailing

International application No.

PCT/US 02/ 38391

International filing date  
(day/month/year)

02/12/2002

Applicant

KIMBERLY-CLARK WORLDWIDE, INC.

## 1. This International Searching Authority

- (i) considers that there are 12 (number of) inventions claimed in the international application covered by the claims indicated ~~XXXX~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~XXXX~~ on the extra sheet:

DOCKETED  
DATE 4/22/03 01 JUNE 03  
ATTORNEY Don  
SECRETARY jos imo  
RESPONSE / PAY FEES

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-3,24-27,28-30(in part)

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

## 2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00 x 11 = EUR 10.395,00  
Fee per additional invention      number of additional inventions      total amount of additional fees

Or, \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. \_\_\_\_\_ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority



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Authorized officer

Alicja Van der Heijden

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-3, 24, 25, 26, 27, 28 (IN PART), 29 (IN PART),  
30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in a type of absorbent in each material layer.

2. Claims: 4, 5, 28 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in an amount of absorbent in each material layer.

3. Claims: 6, 7, 8, 28 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in a type of thermoplastic fiber in each material layer.

4. Claims: 9, 10, 28 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in an amount of thermoplastic fiber in each material layer.

5. Claims: 11, 28 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in differing densities of the material layers.

## 6. Claims: 12, 28 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The Z-direction gradient being in differing thicknesses of the material layers.

## 7. Claims: 13, 14, 29 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The zones being intermittent in a type of absorbent in each material layer.

## 8. Claims: 15, 16, 29 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The zones being intermittent in an amount of absorbent in each material layer.

## 9. Claims: 17, 18, 19, 29 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The zones being intermittent in a type of thermoplastic fiber in each material layer.

## 10. Claims: 20, 21, 29 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The zones being intermittent in an amount of thermoplastic fiber in each material layer.

## 11. Claims: 22, 29 (IN PART), 30 (IN PART)

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the

machine direction or the cross direction.

The zones being intermittent in differing densities of the material layers.

12. Claims: 23, 29 (IN PART), 30 (IN PART) \*

An in-line formed non-laminated web comprising multiple layers of composite material, whereby the composite web has a Z-direction gradient and discontinuous zones in one of the machine direction or the cross direction.

The zones being intermittent in differing thicknesses of the material layers.

The single general concept covering all separate inventions is the notion that an on-line formed composite web having a Z-direction gradient and having zones of different material intermittently placed in one of the machine direction or the cross direction solves the underlying technical problem of providing a single composite structure having fluid intake, distribution and retention properties in an absorbent article.

This concept is known in the state of the art (WO 0135886, page 7 line 2-6, page 16 line 13-15, page 18 line 21 - page 19 line 2, figures).

As the single general concept is not novel it cannot be the single general inventive concept required to be present by Article 3(4)(iii) and Rule 13.1 PCT. When considering the whole set of claims in the light of the description no further technical features could be identified which could serve as same or corresponding technical features in the sense of Rule 13.2 PCT to restore unity of invention.

The invention first mentioned in the claims 1-3, 24, 25, 26 and 27 (subject 1) has been the subject of a complete search and claims 28, 29 and 30 were searched partially as far as they relate to the first subject. The subjects 2-12 are not mutually linked by a further general inventive concept and searching each subject requires a major search effort.

The application relates to a plurality of inventions, or groups of inventions, in the sense of Rule 13.1 PCT. They have been divided as defined above. If the applicant pays additional fees for one (or more) not yet searched group(s) of invention(s), then the further search(es) may reveal further prior art that gives evidence of a further lack of unity 'a posteriori' within one (or more) of the not yet searched group(s). In such a case only the first invention in this (each of these) group(s) of inventions, which is considered to lack unity of invention, will be the subject of a search.

No further invitation to pay further additional fees will be issued. This is because Article 17(3)(a) PCT stipulates that the ISA shall establish the International Search Report on those parts of the

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international application which relate to the invention first mentioned in the claims ('main invention') and for those parts which relate to inventions in respect of which the additional fees were paid. Neither the PCT nor the PCT guidelines provide a legal basis for further invitations to pay further additional search fees (W17/00, point 11 and W1/97, points 11-16).

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
- 1-3, 24-27**
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01 35886 A (HOOD RYAN K ;BOEHMER BRIAN E (US); ERSPAMER JOHN P (US); KALMAN MI) 25 May 2001 (2001-05-25) the whole document ----	1-3, 24-30
A	US 5 156 902 A (PIEPER CHRISTOPHER M ET AL) 20 October 1992 (1992-10-20) column 2, line 40 -column 4, line 4 column 13, line 53 -column 14, line 27; claims; figures ----	1-3, 24-30
X	US 5 429 788 A (VAN EPEREN THOMAS W ET AL) 4 July 1995 (1995-07-04) abstract column 4, line 57 -column 5, line 5 column 5, line 57 -column 6, line 5 column 7, line 65 -column 8, line 6 column 11, line 63-66; figures ----	1-3, 24, 26-30
X	US 5 855 571 A (WIDLUND URBAN ET AL) 5 January 1999 (1999-01-05) column 7, line 32-43; claims; figures ----	1-3, 24-30
X	EP 0 558 889 A (MOELNLYCKE AB) 8 September 1993 (1993-09-08) page 2, line 42-54 page 8, line 24-32; figures ----	1-3, 25
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

**Annex to Form PCT/ISA/206**  
**COMMUNICATION RELATING TO THE RESULTS**  
**OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No. \_\_\_\_\_

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**C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 110 528 A (MCNEIL PPC INC) 27 June 2001 (2001-06-27) column 7, line 11 -column 9, line 57 column 11, line 34-43; figures ---	1-3, 24-30
P,A	US 2002/169430 A1 (KIRK ROBERT REX ET AL) 14 November 2002 (2002-11-14) paragraphs '0029!-'0040!; claims; figures ---	1-3, 24-30
A	US 5 728 082 A (ARESKOUG STEFAN ET AL) 17 March 1998 (1998-03-17) column 3, line 50-53; claims; figures -----	1-3,24, 27-30

# Patent Family Annex

Information on patent family members

International Application No.

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
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